



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,573	08/07/2001	Dwip N. Banerjee	AUS920010318US1	2690
24945	7590	10/14/2004	EXAMINER	
STREETS & STEELE 13831 NORTHWEST FREEWAY SUITE 355 HOUSTON, TX 77040			ABEL JALIL, NEVEEN	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)
	09/923,573	BANERJEE ET AL.
	Examiner Neveen Abel-Jalil	Art Unit 2165

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Frank CAMPIGOTTO (Attorney of Record). (3) Sam Rimell.
 (2) Neveen Abel-Jalil. (4) _____.

Date of Interview: 28 September 2004.

Type: a) Telephonic b) Video Conference
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
 If Yes, brief description: _____.

Claim(s) discussed: Claim 1.

Identification of prior art discussed: Bennet (U.S. Pub. No. 2003/0208429 A1) and Tolopka (U.S. Patent No. 6,064,976).

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Neveen Abel-Jalil
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Applicant's representative requested the interview to discuss a draft response to the office action dated 6-July-2004. The applicant argued that there is no suggestion, teaching or motivation for combining the cited references as is necessary for showing a *prima facie* case of obviousness as stated by the Examiner because when the references are combined, the result does not address methods for data retrieval and access of records in a database. Instead, the cited references simply use the database tools as they exist in a manner known to those having ordinarily skill in the art.

The Examiner responded by disagreeing stating the fact that a database exist in itself contains fields and records to store data apart from the type of data they store. The Examiner respectfully stated that her motivation to combine is indeed different for the proposed benefits of the applicant's invention otherwise, the invention is deemed unnecessary and hence lacks novelty.

The Applicant representative further argued that Bennett does not teach or suggest the limitation of "maintaining identification for a group of decision-making entities in a memory device", however, the applicant's representative acknowledges that Bennett teaches user input a job classification. The Applicant further argued that a computer communicating with another linked together in a network does not constitute a decision-making entity. The Examiner respectfully disagreed citing that a computer is an entity that has a memory, processor, and is capable of making decisions. The fact that a user inputs data to a computer to reach results is well known in the art and as such stated by Bennett.

Tolopka was introduced by the Examiner to teach the limitation "from the query responses received; for communication a query" to suggest that the reference are addressed in combination when discussed to cover the claimed limitation. The Applicant's representative argued that Tolopka teaches away from communicating to an individual by teaching a computer communicating a query to another computer. The Examiner pointed out that the decision-making entity can indeed be the computer as taught by both references.

In conclusion, the applicant's representative stated he will be filing a response including the arguments above.